



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/626,267	07/23/2003	Hao-Wen Ko	JLINP163	9579

25920 7590 01/18/2006

MARTINE PENILLA & GENCARELLA, LLP
710 LAKEWAY DRIVE
SUITE 200
SUNNYVALE, CA 94085

EXAMINER

DATSKOVSKIY, MICHAEL V

ART UNIT	PAPER NUMBER
----------	--------------

2835

DATE MAILED: 01/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/626,267

Applicant(s)

KO ET AL.

Examiner

Michael V. Datskovskiy

Art Unit

2835

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9, 11-19 and 21 is/are rejected.
- 7) ☒ Claim(s) 10 and 20 is/are objected to.
- 8) ☒ Claim(s) 22-31 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-3, 5-8, 11-13, 15-16, 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Schmidt et al (US Patent 6,254,343).

Schmidt et al teach a heat-dissipating device 12, Figs. 1-4, comprising: an impeller 26 having a plurality of blades 28; and a housing (an outer frame) 18 receiving said impeller 26, wherein the housing 18 includes an air passage guiding air from an inlet opening 20 to an outlet opening 22, said housing, wherein: an inner wall of the passage at the air inlet 30 radially outwardly and with respect to a central axis of the passage in a symmetrical frustum-conical manner extends so as to increase an air intake area of the air stream; and an inner wall of the passage at the air outlet 35 radially outwardly and with respect to a central axis of the passage in a symmetrical manner extends so as to increase an air outlet area of the air stream. Schmidt et al teach furthermore: said housing, wherein each of said inner inlet and outlet walls is formed with an inclined portion 54.

3. Claims 1-3, 5-7, 9, 11-13, 16-19, 21 are also rejected under 35 U.S.C. 102(b) as being anticipated by Harmsen (US Patent 5,695,318).

Art Unit: 2835

Harmsen et al teach a heat-dissipating device 1, Figs. 1-9, comprising: an impeller 4 having a plurality of blades 17; and a housing (an outer frame) 2 receiving said impeller 4, wherein the housing 2 includes an air passage guiding air from an inlet opening 20 to an outlet opening 22, wherein: an inner wall of the passage at the air inlet 15a radially outwardly and with respect to a central axis of the passage in a symmetrical frustum-conical manner extends so as to increase an air intake area of the air stream; and an inner wall of the passage at the air outlet 15b radially outwardly and with respect to a central axis of the passage in a symmetrical manner extends so as to increase an air outlet area of the air stream; and wherein the inner wall of an air passage 15 is provided with an inclined portion extending from the air inlet 15a to the air outlet 15b; and wherein a dimension of the blade 17 of the impeller 4 increases along with the radially outwardly extending direction of the inner wall of the passage 15.

4. Claims 1-2, 4-5, 11-14, 17 are also rejected under 35 U.S.C. 102(b) as being anticipated by Umeda et al (US Patent 6,386,843).

Umeda et al teach a heat-dissipating device 10, Figs. 3-6, comprising: an impeller having a plurality of blades 13; and a housing (an outer frame) 15 receiving said impeller, wherein the housing 15 includes an air passage guiding air from an inlet opening 15b to an outlet opening 15f, wherein: an inner wall 15d of the passage at the air inlet 15b radially outwardly and with respect to a central axis of the passage in a symmetrical frustum-conical manner extends so as to increase an air intake area of the air stream; and wherein the inner wall 15d in a sector W extends outwardly beyond a peripheral edge of the housing (outer frame) 15.

Art Unit: 2835

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-2, 7-8-9, 11 are also rejected under 35 U.S.C. 102(e) as being anticipated by Wei et al.

Wei et al teach a heat-dissipating device, Figs. 18A and 18B, comprising: an impeller 1830 having a plurality of blades 1834; and a housing (an outer frame) 1812 receiving said impeller 1830, wherein the housing 1812 includes an air passage guiding air from an inlet opening to an outlet opening 22, wherein an inner wall of the passage at the air outlet radially outwardly and with respect to a central axis of the passage in a symmetrical manner extends so as to increase an air outlet area of the air stream; and wherein the inner wall of an air passage is provided with an inclined portion extending from the air inlet 1 to the air outlet, said inner wall of the air outlet being formed with an inclined portion 1814 therearound.

Allowable Subject Matter

6. Claims 10 and 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

The housing according to claims 2 or 12, wherein a radially outward extension of the inner wall of the passage at the air inlet is partially cut of to form a notch in order to increase an intake area for the air streams coming from a lateral side thereof.

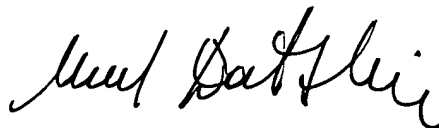
Art Unit: 2835

7. The prior art made of record provided in the PTO Form 892 and not relied upon is considered pertinent to applicant's disclosure.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael V. Datskovskiy whose telephone number is (571) 272-2040. The examiner can normally be reached on 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn Feild can be reached on (571) 272-2092. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Michael V Datskovskiy
Primary Examiner
Art Unit 2835

01/11/2006